

REMARKS

Claims 5-7, 14-18, 31, 33-38 and 41-48 are all the claims pending in the application.

Claims 5, 7, 15, 18, 31, 35, 41 and 42 remain allowed.

Claims 38 and 44 have been amended in response to the 35 U.S.C. § 101 rejections.

Claims 6, 16, 33, 38, 43, 44, 45 and 47 have been amended to further clarify the claimed invention.

35 U.S.C. § 101 REJECTIONS

The Examiner has rejected claims 38 and 44 under 35 U.S.C. § 101. Applicants have amended the claims in response to this rejection. Therefore, Applicants request that this rejection be withdrawn.

PRIOR ART REJECTIONS

The Examiner has rejected claims 6, 14, 16, 17, 33, 34, 38 and 43-48 under 35 U.S.C. § 102(e) and/or 103(a) as being anticipated by, or obvious in view of, Herman. Applicants traverse these rejections because Herman fails to disclose or suggest the claims as amended.

Regarding the § 101 rejections, we recommend amending the claims as shown in the attached appendix. However, we note that these claims also remain rejected based on Herman.

In the previous filed response, Applicants argued that Herman failed to disclose or suggest that the correction amount is limited when a cut point (change in image quality) is not detected, as required by claims 6, 16 and 33, from which these claims depend.

In response, the Examiner argues that Herman discloses a system which performs color correction on selected scenes to maintain a constant color from scene shot to scene shot in the

video image. Thus, if the color is different from scene shot to scene shot, the quality would be low, thus, Herman detects the color or an icon which may be a “network logo,” “product trademark” or “known human face colors” to ensure the color of the scenes are maintained, which improves the quality. Therefore, if the colors between scenes are different, which is indicative of a change in image quality, the system corrects for such. Thus, if no change is detected, the update amount is limited, since no update amount is required, since no correction is required.

However, in the claims as amended, the update amount is limited to said correction amount when said change is not detected. This feature is neither disclosed or suggested by Herman.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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